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Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Fourth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on
the Rights of the Child: Sudan

1. The Committee began consideration of the initial report of the Sudan (CRC/C/3/Add.3) at its 69th, 70th and 71st meetings (CRC/C/SR. 69-71), held on 26 and 27 January 1993. In view of the complexity of the situation and the problems facing children in the Sudan, the Committee decided to continue its consideration of the initial report of Sudan at its next (fourth) session, to be held from 20 September to 8 October 1993. To assist it in the continuation of its dialogue with the State party, the Committee requested the Government of the Sudan to provide it with additional information, in accordance with rule 69 of its provisional rules of procedure and article 44, paragraph 4, of the Convention, relating in particular to the areas of concern identified by the Committee in its preliminary observations (CRC/C/15/Add.6). The additional information submitted by the State party is contained in document CRC/C/3/Add.20.

2. The Committee, having continued its consideration of the initial report of the Sudan and having examined the additional information at its 89th and 90th meetings (CRC/C/SR.89-90), held on 29 September 1993, adopted* the following concluding observations:

* At the 103rd meeting, held on 8 October 1993.

Introduction

3. The Committee welcomes the continuation of the dialogue with the representative of the Government of the Sudan. It notes the efforts undertaken thus far by the Government to follow up on the concerns raised previously by the Committee as regards the seriousness of the situation of children in that country.

Positive aspects

4. The Committee notes the willingness shown by the Government of the Sudan to take into account the recommendations made by the Committee with a view to reviewing existing legislation in order to bring it into conformity with the Convention. In this regard, the Committee welcomes the State party's decision to establish a committee to review national laws pertaining to children and that its preliminary observation in the area of the abolition of the punishment of flogging has been taken into account by the reviewing committee.

5. Additionally, the Committee notes with satisfaction the initial steps taken by the State party to develop monitoring and follow-up mechanisms for the implementation of the Convention.

6. The Committee welcomes the positive steps taken recently by the Government to improve its cooperation with international intergovernmental and non-governmental organizations. The Committee notes with satisfaction the recent agreements concluded between the parties concerned with a view to improving the provision of humanitarian assistance.

7. The Committee acknowledges the contribution made by the Sudanese people in accepting and offering refuge to persons, including children, coming from neighbouring countries.

Factors and difficulties impeding the implementation of the Convention

8. The Committee recognizes that natural and man-made disasters have had a negative impact on efforts by the State party to ensure full implementation of the Convention. In this regard, the Committee notes the problems caused by civil war in the south of the Sudan and that the different groups involved in this conflict have often disregarded the best interests of the child.

9. The Committee takes note of the seriousness of the economic situation facing the Sudan and the debilitating effect this has had on the situation of children.

Principal subjects of concern

10. The Committee considers that several of the concerns it raised previously with regard to the implementation of the Convention in the State party, (see CRC/C/15/Add.6) still remain to be addressed effectively. In this regard, the Committee emphasizes that it remains very much concerned about the non-compatibility of Sudanese legislation relating to the rights of the child with the principles and provisions of the Convention.

11. The Committee is concerned at the lack of training on the rights of the child given to personnel working with children.

12. The Committee expresses its deep concern at the insufficient attention paid to the implementation of the general principles of the Convention, namely its articles 2, 3, 6 and 12 and their relationship to the implementation of all the articles in the Convention, including those relating to the civil and political rights of children.

13. The Committee notes the seriousness of the general health conditions prevailing in the Sudan and their detrimental effect on children. It expresses its serious concern at the continuance of traditional practices harmful to the health of women and children, particularly the practice of female genital mutilation. In addition, the Committee draws attention to the plight of disabled children, in view of their particular vulnerability, and the need for effective measures to improve their situation.

14. The Committee continues to be seriously alarmed at the effects of emergency situations on children, as well as at the problems faced by homeless and internally displaced children. Reports on the forced labour and slavery of children give cause for the Committee's deepest concern.

15. The Committee is of the opinion that the system of administration of juvenile justice in the Sudan is not fully compatible with articles 37, 39 and 40 of the Convention and other relevant United Nations standards.

Suggestions and recommendations

16. The Committee encourages the development of mechanisms to monitor and follow up the implementation of the Convention.

17. The Committee expresses the hope that the review of child-related laws will result in the total abolition of flogging.

18. The Committee recommends that the review of national legislation continues to take into account concerns expressed by the Committee with regard to the definition of the child and the age of criminal responsibility. In addition, the Committee suggests that the State party consider introducing enforcement measures to ensure that officials responsible for the implementation of the Convention fulfil their duties effectively.

19. The Committee also recommends that training about child rights should be provided to relevant professional groups such as judges, teachers and social workers.

20. The Committee encourages the Government to continue its cooperation with intergovernmental and non-governmental organizations with a view to improving the effectiveness of measures to alleviate the suffering of children.

21. The Committee recommends that the general principles of the Convention as expressed in its articles 2, 3, 6 and 12 guide the review of national legislation and the development of policies and strategies for ensuring the effective enjoyment by children of all their rights.

22. The Committee also recommends that further efforts be undertaken to raise awareness in order to eradicate traditional practices harmful to the health of women and children. The Committee suggests that the Government and religious and community leaders take an active role in supporting efforts to eliminate the practice of female genital mutilation.

23. The Committee further recommends that attention be given to extending the provision of primary health care and primary education in order to improve the general health and nutritional and educational status of children. In addition, the Committee recommends that future development plans should accord priority to the situation of disabled children.

24. The Committee emphasizes the need for further urgent efforts to improve the protection and promotion of the rights of internally displaced children.

25. The Committee also emphasizes the need to pay urgent and due regard to the reports of forced labour and slavery of children. The Committee believes that international cooperation, particularly technical assistance and advice, could be used to that end.

26. The Committee recommends that the system of administration of juvenile justice be reviewed in order to ensure its compatibility with articles 37, 39 and 40 of the Convention and other relevant United Nations standards.

27. The Committee expresses the hope that improvements in the implementation of the Convention will be forthcoming and appreciates the willingness of the State party to keep it regularly informed of relevant developments.